

## REMARKS

The present application includes pending claims 1-22, all of which have been rejected. By this Amendment, claims 2-4, 6, 7, 10-14 and 18-22 have been amended to clarify aspects of the inventions. New claims 23-28 have been added. The Applicants respectfully submit that the pending claims define patentable subject matter.

The specification was objected to because information in paragraph [0002] was incomplete. Paragraph [0002] has been amended to overcome this objection.

Claim 20 was objected to as being identical to claim 6. Claim 20 has been amended to overcome this objection.

Claims 10-17 were rejected under 35 U.S.C. 112, second paragraph, because “the first home” and “the second home” lacked antecedent basis. Claim 10 has been amended to overcome this rejection.

Claims 1-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 7,065,778 (“Lu”) in view of United States Patent Number 6,963,358 (“Cohen”). The Applicants respectfully traverse these rejections for at least the following reasons.

### **I. The Proposed Combination Of Lu And Cohen Does Not Render Claims 1-17 Unpatentable**

Claim 1 recites, in part, “server software that receives via a communication network a **request that identifies** one of the associated first and second network protocol addresses, one of the at least one media peripheral, and at least one media peripheral command selected by a user at the first home, and **responds by identifying the other of the associated first and second network protocol addresses to support control from the first home....**” Claim 10 recites, in

part, “server software that **receives a request that identifies** one of the associated first and second network addresses, one of the at least one media peripheral, and at least one media peripheral command, and **responds by identifying the other of the associated first and second network addresses to support control....**”

The Office Action asserts that Lu discloses “server software that receives via a communication network a request that identifies one of the associated first and second network protocol addresses by a user at the first home and responds by identifying the other of the associated first and second network protocol addresses....” *See* December 8, 2006 Office Action at pages 4-5. However, Lu “relates to the field of utilizing personalized video recorders and other similar types of devices to distribute television programming.” *See* Lu at column 1, lines 7-11. In particular, Lu discloses a system in which a user is able to record a show that is transmitted in another broadcast area. *See id.* at Abstract.

For example, Lu describes the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders... situated within a broadcast region of the requested television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders... to record the requested television show when it is broadcast by a television content provider.... Once the personalized video recorders... record the television show, one or more of the personalized video recorders may transmit it to EPG server computer 304 which then transmits it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video recorder 200 to order and receive specific television shows that are unavailable from its

television content provider....

Lu at column 6, lines 39-61. Thus, Lu discloses a system in which a user sends a recording request that is received by a server computer via the Internet. The server computer then locates a recorder within the broadcast region of the show, and then sends the recorded show back to the requesting user.

Lu does not describe, teach, or suggest “server software that receives via a communication network a request that identifies one of the associated first and second network protocol addresses by a user at the first home and responds by identifying the other of the associated first and second network protocol addresses....” Instead, Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR.

The Office Action cites Lu at column 10, lines 10-15 as disclosing a request “that identifies one of the associated first and second network protocol addresses by a user at the first home.” *See* December 8, 2006 Office Action at page 4. This portion of Lu states, however, the following:

Furthermore, the programming instructions of step 512 may also include an Internet Protocol (IP) address of a device (e.g., personalized video recorder 200) that the personalized video recorder (e.g., 200A or 200B) should transmit the requested television show to once it has been recorded.

Lu at column 10, lines 10-15. This portion of Lu merely indicates the IP address of the location in which the recorded show will be sent. This passage of Lu does not, however, teach or suggest “server software that **receives** via a communication network **a request that identifies one of the associated first and second network protocol addresses,**” as recited in claim 1, for example.

Thus, for at least this reason, the Office Action has not established a *prima facie* case of obviousness with respect to claims 1-17.

Additionally, the Office Action cites Lu at column 6, lines 45-50 as disclosing “respond[ing to a request that identifies one of the associated first and second network protocol addresses] by identifying the other of the associated first and second network protocol addresses” *See* December 8, 2006 Office Action at pages 4-5. This portion of Lu recites, however, the following:

Upon reception of the request from personalized video recorder 200, EPG server computer **locates** via Internet 302 one or more personalized video recorders (e.g., 200A and/or 200B) situated within a broadcast region of the requested television show.

*See* Lu at column 6, lines 45-50. The “request” mentioned in this passage is a “request [for] delivery of a specific television show that may not be available to him or her.” *See id.* at column 6, lines 43-45. A request for delivery of a specific television show that may not be available to a person is not a “request that identifies one of the associated first and second network addresses.” Moreover, in response to the request for delivery, Lu discloses that the EPG server “locates one or more personalized video recorders situated within a broadcast region of the requested television show.” Location of a recorder within a particular broadcast region in response to a request for delivery of a particular television show is not a response to a request that identifies one of the associated first and second network addresses that “identif[ies] the other of the associated first and second network protocol addresses to support control from the first home,” as recited in claim 1.

Neither Lu, nor Cohen describes, teaches, or suggests “server software that receives via a communication network a **request that identifies** one of the associated first and second network

protocol addresses, one of the at least one media peripheral, and at least one media peripheral command selected by a user at the first home, and **responds by identifying the other of the associated first and second network protocol addresses to support control from the first home,**” as recited in claim 1. Additionally, neither Lu, nor Cohen describes, teaches, or suggests “server software that **receives a request that identifies** one of the associated first and second network addresses, one of the at least one media peripheral, and at least one media peripheral command, and **responds by identifying the other of the associated first and second network addresses to support control,**” as recited in claim 10. For at least these reasons, the Applicants respectfully submit that the Office Action has not established a prima facie case of anticipation with respect to claims 1-17. Indeed, the proposed combination of Lu and Cohen does not render claims 1-17 unpatentable for at least the reasons discussed above.

Additionally, the Office Action acknowledges that “Lu does not teach at least one media peripheral, in the second home, communicatively coupled to the second storage.” *See* December 8, 2006 Office Action at page 5. To overcome this deficiency, the Office Action relies on Cohen. In particular, the Office Action cites Cohen at column 13, lines 22-33 and column 14, lines 19-27 as disclosing “server software that receives a request that identifies one of the at least one media peripheral, and at least one media peripheral command selected by a user.” *See id.* at page 5. However, Cohen at column 13, lines 22-33 states the following:

When a user or a requester wants to access a data file stored on the storage medium being serviced by the server, the requestor/user submits or makes a request. This access request is processed to determine if the user/requestor is authorized to access the data file, STEPS 706, 708. If the requestor does not have authorization to access the data file (NO, STEP 708), an error/no access granted message is outputted, STEP 710. If the requestor has authorization to access the data file (YES, STEP 708), then the server grants access to the stored data. The access being granted can be limited

to a read only type of access or access to manipulate or further process the data.

This portion of Cohen merely discloses the steps taken if and when a user has authorization to gain access to a data file. There is nothing in this portion of Cohen, however, that describes, teaches, or suggests receiving a request that “identifies one of at least one media peripheral, and at least one media peripheral command selected by a user” as asserted in the Office Action.

Similarly, column 14, lines 19-27 of Cohen state the following:

In use, image data is acquired in the digital camera 10' and when desired by the user such acquired data is downloaded into the DDST device 100b. Thereafter the downloaded data is transmitted using wireless communications techniques to the transceiver 804 operably coupled to a first network infrastructure 806. This downloaded data is in turn communicated via the network infrastructure to a remotely located server 808.

This portion of Cohen merely discloses that image data from a digital camera is downloaded into a DDST device. However, there is nothing in this portion of Cohen that describes, teaches, or suggests receiving a request that “identifies one of at least one media peripheral, and at least one media peripheral command selected by a user” as asserted in the Office Action. Thus, for at least these additional reasons, the Office Action has not established a prima facie case of obviousness with respect to claims 1-17.

## **II. The Proposed Combination Of Lu And Cohen Does Not Render Claims 18-22 Unpatentable**

Claim 18 recites, in part, “the at least one media peripheral being configured to be indirectly controlled by the set top box circuitry in the first home,” as amended. Neither Lu, nor Cohen describes, teaches, or suggests such a limitation. Lu simply does not disclose indirect control of a component in a second home through set top box circuitry in a first home. Instead, Lu arbitrarily locates a PVR in a broadcast area to record a show for a PVR in another broadcast

area. Thus, the proposed combination of Lu and Cohen does not render claims 18-22 unpatentable for at least this reason.

### **III. New Claims 23-28 Are In Condition For Allowance**

New Claims 23-28 have been added. These claims should be in condition for allowance for at least the reasons discussed above with respect to claims 1-9. The fee for new claims 23-28 is calculated below:

6 additional claims over 20 X \$50/claims = \$300

1 additional independent claim over 3 X \$200 = \$200

**TOTAL = \$500**

### **IV. Conclusion**

In general, the Office Action makes various statements regarding claims 1-22 and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully submit that the Office Action has not established a prima facie case of anticipation with respect to any of the pending claims for at least the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants.

The Commissioner is authorized to charge any necessary fees, including the \$450 fee for the two month extension of time in which to respond and the \$500 fee for the new claims, or

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credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No.  
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Respectfully submitted,

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